



CALL TO ORDER	<p>The one hundred thirty-fourth meeting of the Water and Wastewater Operator's Advisory Council was called to order at 9:00 a.m. by Bob Cottom, Dillon, Council Chairperson. Other Council members present were: Carol Reifschneider, Ph.D., MSU-Northern, Council Vice Chair; Joanne "Joni" Hall Emrick, Kalispell; Roger Thomas, Billings; Leland Leivo, Bigfork; Steve Ruhd, Conrad; and Jim Melstad, DEQ Public Water Supply Section.</p> <p>Department personnel and guests attending all or portions of the meeting were: Shirley Quick, Certification Officer; Jon Dilliard, Community Services Bureau Chief; Reta Therriault, Certification Technician; Ashley Finnegan, Certification Technician; Ryan Leland, PWS Engineering Services program manager; Bill Bahr, wastewater environmental specialist; John Camden, Field Services program manager; and Scott Anderson, Anderson-Montgomery Consulting Engineers.</p>
MINUTES APPROVED	<p>The minutes of the December 13, 2001 meeting were unanimously approved following a motion by Lee Leivo and a second by Carol Reifschneider.</p>
REAPPOINTING ROGER THOMAS	<p>Shirley pointed out that Roger Thomas' term on the Council, that he completed after Mike Holzwarth resigned, will end on October 16, 2002. Roger has agreed to serve another six-year term on the Council and the Council agreed to support him for reinstatement. Roger currently holds the position on the Council that must be held by a Class 1 wastewater system operator.</p>
STAFF CHANGES	<p>Shirley announced that she had hired Ruby Miller to be fill the Operator Expense Reimbursement accountant position. Ruby was unable to attend the meeting, but Shirley informed the Council that Ruby had been working for DEQ for several years, the last few in the Public Water Supply Section for John Camden. Ruby will be administering the new \$1.6 million operator expense reimbursement grant program.</p> <p>Shirley also announced that both Reta Therriault and Ashley Finnegan had recently received upgrades in their positions for taking on many more additional responsibilities. She complimented them both on continuing to do exceptional work.</p>
GOODBYE TO SHIRLEY QUICK	<p>Shirley announced that she had given her termination notice to DEQ and that her last day would be June 14, 2002. She thanked the Council members for their support and friendship over the last 8 years, and expressed a strong desire to stay in touch with all of them after she left. Bob asked that the minutes reflect the deep appreciation for Shirley's</p>

	<p>commitment to the operators in the state of Montana and for a job well done. The other Council members also expressed their sadness that Shirley was leaving but wished her success in her future endeavors.</p>
ACTION ITEMS	<p>Shirley reported on the following action items from the December 13, 2001 Council meeting with the other items being covered in detail elsewhere in these minutes:</p>
COUNCIL INFO TABLE	<p>Shirley updated the Council information table as requested: Bob's title, Joni's e-mail, and Steve's phone numbers.</p>
BUTTE-SILVER BOW SAMPLING LETTER	<p>Shirley sent a letter to Dave Schultz at Butte-Silver Bow reminding him that the time had run out for the uncertified operators who had been permission to take samples for one-year. Only one of the three operators had taken and passed the exam. No response had been received from Mr. Schultz.</p>
USEPA ANNUAL REPORT	<p>Shirley prepared and sent to USEPA the annual program review report on December 26, 2001. She received an annual approval letter from Anthony DeLoach at Region 8, but also was informed by Mr. DeLoach that the letter would need to be signed by his superiors at Region 8. That letter still has not been received after several reminders. An annual review and approval of the program and is required.</p>
PROPOSED RULE CHANGES	<p>The proposed rule changes have been made and reviewed by DEQ legal staff and the director. Detailed discussion on the changes follows. The proposed rule changes will be published and sent out to all interested parties soon.</p> <p>Since the rule changes mean a new deadline for CECs, the database will need to be updated when the rules are final.</p>
METC LIBRARY REQUEST	<p>Shirley stated that METC will be asked to stock their lending library with any manuals that are referred to in the updated wastewater study guides. This will enable to operators to obtain free copies for their reference.</p>
OPERATORS WHO HAVE NOT WORKED IN SYSTEM FOR 2 YEARS OR MORE	<p>Reta reported that there are approximately 76 fully certified and operator-in-training operators who have not worked in a water or wastewater system for two years or more. This information was obtained by Reta manually going through operator files. She stated that it appeared that most of these operators were DEQ staff, MSU professors, engineers, lab techs, and operators who have moved out of state. Shirley stated that there is new proposed rule language to address this problem and she would talk about it in detail later in the meeting.</p>
COUNCIL ID	<p>Shirley handed out copies of a memo from Jon Dilliard addressing the</p>

CARDS	<p>issue of identification cards for Advisory Council members. In that memo, Jon stated that the Department of Administration will not issue ID cards to Advisory Council members any more. In Jon's e-mail, he suggested: 1) DEQ make the arrangements for the Council members, and if we can't get the lower state rates we should pay at the higher rate; 2) document any problems we have with particular motels and turn this information over to the Department of Administration to help negotiate a way to get Council members state rates; and 3) DEQ issue our own cards if the Director agrees. During the meeting, Jon also suggested that we just have the motel send the department the bill instead of reimbursing the operators individually.</p>
CEC STATUS REPORTS	<p>Shirley reported that Ashley had mailed out the CEC status reports before her deadline, but after considerable hard work on her part. Shirley commended Ashley for commitment to getting the database working, the status reports updated, as well as getting them to operators in plenty of time. Shirley asked the Council members to give Ashley any feedback on the new CEC status report format that Ashley had developed for the reports that were included with the renewal invoices. The Council seemed to generally like the new format, but will continue to give Ashley positive feedback when necessary.</p>
MANUAL ORDER FOR BILL	<p>Bill Bahr reported that he had given Ashley a list of the California State University wastewater manuals that he would need an updated copy. Ashley has sent in the order, but it has not arrived yet.</p>
CECRC MEETING	<p>Ashley reported that a Continuing Education Credit Review Committee (CECRC) meeting was held in Helena on May 15, 2002. The Approved Training Provider applications were reviewed and approved. Only the same providers as last CEC period applied again this year. Ashley also reported that the Alternative Training course (online training, correspondence courses, etc.) forms had been updated and sent back to providers since the forms had been difficult for the providers to complete. The CECRC reviewed applications from three different providers and two of them were approved and one was returned for clarification.</p> <p>Bill asked that METC be notified of any changes in status to correspondence courses and alternative training courses before the calendar is updated this Fall. Shirley agreed that this was very good idea and that Ashley should follow-up on this with METC. Shirley also pointed out that now that Ashley has functioning approval forms, all the correspondence courses that are listed in the calendar will need to be submitted for approval and reviewed in the future.</p> <p>Shirley also reported that an election of officers had been held and that Carol Reifschneider was the new chairman of the CECRC.</p>

RENEWAL UPDATE	Ashley reported that 1, 545 renewal invoices had been mailed out on April 1, 2002 and that approximately \$28,000 had been received so far. Only seven letters had been received from operators asking not to have their certificates renewed. She reported that approximately 250 operators were still missing CECs, but that she still had CEC credit forms that needed to be entered in the database. Shirley commended Ashley on doing an excellent job in working with the database contractors to get the database functioning to the point that the invoices could be mailed out on time and that the money and CECs could be tracked accurately.
WATER SCHOOL REPORT	John Camden reported that there were two spring schools held this year, one in Billings and one in Bigfork. The spring 2002 water schools went fine except for problems with the weather, including closed roads in the Bigfork area. There were approximately 58 people attending in Billings and 36 in Bigfork. There were 55 registered for Bigfork, but the weather kept them away. Although they received excellent treatment from the Marina Cay in Bigfork, it is hoped that METC will schedule enough in advance to have the school in Kalispell next year.
SPRING SCHOOLS	
SUMMER SCHOOL	John reported that the summer school this year will be held in Miles City on June 19 and 20, with the exam on the June 21. Bill asked Reta who was scheduled to give the exam in Miles City since he thought there would be several people taking the exam there. Reta stated that at this time she only has one person signed up to take the exam on that date in Miles City. However, she will be making arrangements for someone to give the exam.
FALL SCHOOL	<p>John reported that the fall school will be held in Bozeman on September 23 through 26, 2002 with the exam on Friday, September 27. John stated that they are looking into moving the school to the first week in October. One of the reasons for this move is that the USEPA fiscal year ends on September 30 so there is never any travel money left to be able to travel to speak at the school. John pointed out that the change may take some time since they have to schedule the schools 5 years in advance.</p> <p>Bob asked why they didn't move to a motel like other conferences. John stated that had been discussed in the past, but that it was determined not to do that. Shirley stated that there isn't a conference center in Bozeman big enough to accommodate the school. Bill pointed out that speakers were complaining about the parking problems at the school since they had to carry so much equipment for their talks. Shirley suggested that the school should reimburse them for paying to park in the lot that is across the street from the door to the school.</p>
WATER SCHOOL	John asked the Council to please let he or Bill know if they had any

## BROCHURE DEADLINES

suggestions for topics or speakers for the school. Bob suggested that the brochures for the school be sent out at least before the first Wednesday in August to give operators enough time to get their requests in to their City Councils for permission to attend. Everyone agreed that the earlier the brochures get sent out the better it is for everyone, including to encourage larger attendance.

## EXAM STATUS REPORT

Reta handed out a list of the applicants who took 75 exams on March 23, 2002 at the seven locations with a pass rate of 65.33. She reported that in 1999 167 exams were given, 2000 95, and 2001 105. The decline in the number of exams taken may have been due to the bad weather, or that the Colony and nontransient noncommunity system operators had inflated the numbers before, and the increased number of exams being given in DEQ offices cuts down on the numbers at larger exam sites.

Reta reported that people were requesting applicants for Class 1 and 2 exams too late to enable them to study sufficiently. She asked that the brochures for water schools and the Big Sky Clearwater be mailed out in time to remind system owners of the exam deadlines.

## EXAM REVIEW COMMITTEE REPORT

Reta reported that no wastewater exams had been reviewed by the exam review committee since none had the score of 67.5 to 69.5. Four water exams were reviewed with one passing and the rest still failing. Steve moved that the Council accept the recommendations of the review committee, Carol seconded the motion with the motion passing unanimously.

John Camden reported that one person who took the Class 1B exam only answered the first part of a two-part essay question, receiving a grade of 69. It was decided that he should not be given a chance to answer that question since the exam instructions were clearly noted.

## ABC EXAM REVIEW POLICY

Shirley handed out a copy of the Association of Boards of Certification (ABC) Exam Review Policy which became final on January 26, 2002. The policy states: "For security reasons, examination material is not available to review, unless such review is guaranteed by state law. Where no state law requires review of exams, scored answer sheets and test books are not open to public inspection or subsequent review by the candidate. Candidates should provide comments regarding any question(s) they believe contain errors in content on the Question Comment Form provided during the examination. ABC will review specific candidate comments relating to the examination at the request of testing service clients. A written response will be provided to the client but not to the candidates. Candidates who fail the examination and believe this was due to an error in electronic scoring may have their examination results hand scored by submitting a request in writing to ABC and paying the application fee.

Further, ABC requests that any state with a statute guaranteeing candidates the right to an item-by-item review of exams adopt a policy: (1) requiring that a candidate wait at least one year before having the opportunity to retake an exam; (2) limiting to three (3) the number of items that a candidate may retake an exam before permanently being denied certification.”

Shirley pointed out that Montana does not have a statute guaranteeing the right to an item-by-item review of exams. Lee stated that he felt we should be doing whatever the rest of the country does. Shirley pointed out since we only use ABC wastewater exams, the water exams did not fall under the ABC policy. Lee stated that we should have the same policy for both. Shirley pointed out that the wastewater exam takers get the specific exam profile from ABC but water exam takers only get how many multiple choice, essay or math questions they pass or fail. Bill pointed out that ABC wants to protect the integrity of their exam questions, which we should respect.

The Council agreed that we should adopt the ABC exam review policy as our own. Reta will remove mention of the right to review exams from exam response letters.

#### COMPLIANCE STATUS ACTIVITY REPORT

Reta handed out copies of the April 2002 Compliance Status Activity Report showing a compliance rate of 98% for Community, 96% for Nontransient Noncommunity, and 90% for wastewater systems. Shirley commended Reta on the excellent job she was doing in keeping on top of the noncompliant systems and raising the compliance rate up over the last few months. Reta reported that working on compliance was going to be her highest priority over the next few months since they are a slow period for examinations.

#### OPERATOR ENFORCEMENT ISSUE

Jim reported that staff had raised concerns about the practices of an operator in the Billings area when compliance and enforcement issues were raised against the systems he operates. The Enforcement Division did research into this operator and recommended that formal enforcement action be taken against him. Jim referred their recommendation to the PWS compliance officer who also found that the operator had failed on a number of occasions to do a public notice, take samples, respond to requests for corrective action (boil orders and nitrates) and for a direct discharge of wastewater to surface water. The owner is a bad actor who undoubtedly encouraged this sort of behavior, but the operator had responsibilities and should have responded to us when asked if the owner was keeping him from doing his job. Jim also reported that the operator's chlorine reports were the exact same number every day at the source and the system. Since they only have one chlorinator that is not flow paced the flow should vary but does not daily or yearly. The compliance officer

will ask the Billings staff to compare their chlorine samples with the operator's results to confirm that he is not taking accurate records.

Jim stated that this seems to be an open and shut case and that he will be initiating disciplinary action through the normal DEQ policy by getting permission from the bureau chief, division administrator and director before proceeding. The operator's certifications may be revoked.

Jim pointed out that this is the first time this has happened since 1983 when they had a case that the director at that time would not support.

Steve suggested that new operators should be trained to be aware that it is the operators responsibility to follow proper procedures even if the owner does not want the operator to.

#### MARCH EXAM DISCUSSION

Reta asked the Council for their advice on whether we should continue to have seven exam sites in March every year. She reported that the number of exams in Helena has gone from 17 in 2000, 8 in 2001, and 4 in 2002; Missoula has gone from 8 in 2000, 5 in 2001, and 2 in 2002. She did point out that more people had signed up in Missoula in 2002 but only 2 showed up. Reta asked if it was worth Bob's time to go all the way to Missoula to only give 2 exams.

After a lengthy discussion, it was determined to continue to have exams in Helena in March, but discontinue the Missoula exams unless the spring water school is held there.

#### WASTEWATER EXAM PROCTORING

Shirley asked if the Council had any suggestions for Reta after having given the two different types of exams in March. Lee said it was confusing the first time, but he shouldn't have any problems next time. He pointed out that we should be quickly working on changing the water exams to ABC format like the wastewater exams since it is confusing to the exam takers and givers.

#### DATE OF NEXT MEETING

It was determined that we should not have a February meeting. Any assistance that is needed from the Council between December and May would be done through mail, e-mail or telephone. The next meeting will be May 16 in Helena.

#### ADJOURNMENT

Lee made a motion to adjourn the meeting at 1:35 p.m.; Roger seconded and the motion was passed unanimously.

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Shirley Quick, Certification Officer

